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## Welcome to the Mandated Reporter Online Training

Certain people in Wisconsin are required either by the state statutes or by an executive order of the governor to report suspected child abuse and neglect. There is a system in place – child protective services and law enforcement agencies, tribal services, community treatment and support services, foster care and the court system – to intervene on behalf of children who may be abused or neglected and to secure their safety.

In order for this system to function, however, someone must first identify and refer the children who might be in need of protection. **That is the role of mandated reporters.**

### What will I learn?

- My legal responsibilities as a mandated reporter
- The types of child abuse and neglect and their definitions
- How to recognize child abuse and neglect
- How and where to make a report
- What happens after you make a report
- The protections for a reporter under the law

### How long will it take?

It should take most learners about 30 to 60 minutes to complete the core of the training. You have opportunities throughout the training to access additional useful information; this optional material will add to the training time.

### Does the training include audio?

Yes, this course contains audio content – please have your speakers or headphones ready.

### What are some terms I should know?

#### Mandated Reporter:

A person who is required by Chapter 48 of the Wisconsin Statutes or Executive Order 54 to report suspected child maltreatment.

#### Maltreatment:

“Maltreatment” refers to child abuse, child neglect, and threatened child abuse or neglect.

#### Maltreater:

A person who abuses or neglects a child, or who threatens a child with abuse or neglect.

#### CPS:

“CPS” is an abbreviation for “Child Protective Services.” CPS is part of a county human services or social services department (or, in Milwaukee, the Bureau of Milwaukee Child Welfare). CPS works with others in the community to receive and assess reports of possible child maltreatment, take action to protect the children, and provide services to the children and their families.

*Created in cooperation with:*

  
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## Frequently Asked Questions

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### Why are some people required to report suspected child abuse and neglect?

Our society has a stake in protecting children from abuse and neglect because the consequences of failing to do so are serious — for the children and for society. Certain governmental authorities have been given the legal responsibility to intervene when there is reasonable cause to suspect maltreatment, and government and community services are available to help the child and family if needed. But first the children in need of protection must be identified and brought to the attention of the designated authorities. That is the role of reporters: to refer children who may be in need of protection. And certain persons are required to report because their job functions bring them into contact with children. Mandated reporters are in a unique position to connect endangered children and their families to necessary protection and services. In some instances, a report can mean the difference between life and death for a child.

### How do I know what to report? Do I just use my own judgment about what I think is bad for children?

As a mandated reporter, you are required to report suspected child abuse and neglect. The definitions of a child abuse and neglect — what you are required to report — are found in [s.48.02](#) of the Wisconsin Statutes. You do not need to be an expert in the definitions; that is the responsibility of CPS and the law enforcement and court systems. You just need to understand the definitions well enough so that you are prepared to recognize situations that might be maltreatment.

### Can I report anonymously?

Yes. Anyone can. But there are a few things to consider:

- If you report anonymously, there will be no proof that you fulfilled your legal mandate to report suspected maltreatment.
- You won't be able to get the feedback that persons mandated to report under s.48.981 of the Wisconsin Statutes are entitled to receive.
- The CPS or law enforcement agency will be unable to contact you for more information they may need.

### If I believe that other professionals involved with a family may have already reported, do I still need to make a report if I suspect maltreatment?

It is never a good idea to assume that someone else has made a report. Consider the possible tragic consequences for a maltreated child if all potential reporters assume that someone else has reported. Even if someone has, you could have information that the other person did not know and did not report, information important to decision-making in the case. A mandated reporter has an **individual** responsibility to report if he or she suspects maltreatment. That doesn't prevent you from making a joint report with someone else in your agency, if you both suspect maltreatment of a specific child or children. In any event, it is standard procedure for CPS and law enforcement agencies to accept and document all reports they receive, even if they regard the same child or same incident.

### What if I suspect that maltreatment has occurred but don't have much information to give to CPS or the law enforcement agency?

If you suspect, you must immediately report. Share what information you can. Do not delay reporting in an attempt to collect more information. The CPS or law enforcement agency will determine what further steps might be needed, based on the information you provide and any other information they might have or be able to obtain.

### What if I suspect that a child has been maltreated but have a good relationship with the family and believe I can give them the help they need without



## reporting? Can't I try to help them first, and then report only if they don't respond to my help?

If you suspect maltreatment, you must immediately report. There are no exceptions, other than those specified in the law. The assistance you might provide could certainly be helpful to the family, but it would likely only be a portion of what the family needs to assure that the children are kept safe and are not maltreated. That is the purpose of CPS - to assess service needs related to child safety and assure that the family receives the services targeted to those needs.

## What if I suspect that my neighbor is maltreating his child? Am I required to report?

If you are a mandated reporter under [s. 48.981](#) of the Wisconsin Statutes, you are only **required** to report suspected maltreatment if you see the child while performing your professional duties. If you are mandated to report only by EO #54, you are only **required** to report if you observe or learn of an incident or threat of child abuse while on the job.

*However, anyone **may** report and is protected by law if he or she does so in good faith.*

## Why does CPS "screen out" some reports? Why doesn't CPS investigate every report it receives?

Courts have determined that families have a right to privacy under the Constitution. That includes the right to raise their children as they see fit, as long as the basic needs of the children are being met. CPS has the authority to intrude in how a family cares for its children if there is reasonable cause to suspect that child abuse or neglect has occurred or will occur. Reporters are not expected to be experts in determining whether that threshold — reasonable cause to suspect maltreatment — has been reached. CPS must make that determination based on the reporter's information and any other information CPS might have. That results in some reports being screened out. However, you should not fail to report suspected child maltreatment, because you anticipate that CPS will screen out the report. If you suspect maltreatment, you must report.

## Does CPS always remove children from the home?

The first priority of CPS is the safety of the child, but that does not necessarily mean that the child will be removed from the home. CPS first does an evaluation of home conditions to determine whether the children are safe. If the safety evaluation results in a judgment that the children are not safe, CPS will strategize various interventions that could keep the children safe in the home, if at all possible. The children are only removed if a determination is made that the children cannot be kept safe within the home, even with available supports and services.

## What if I truly don't know whether I suspect maltreatment? Sometimes there is not a clear line between suspicion and no suspicion.

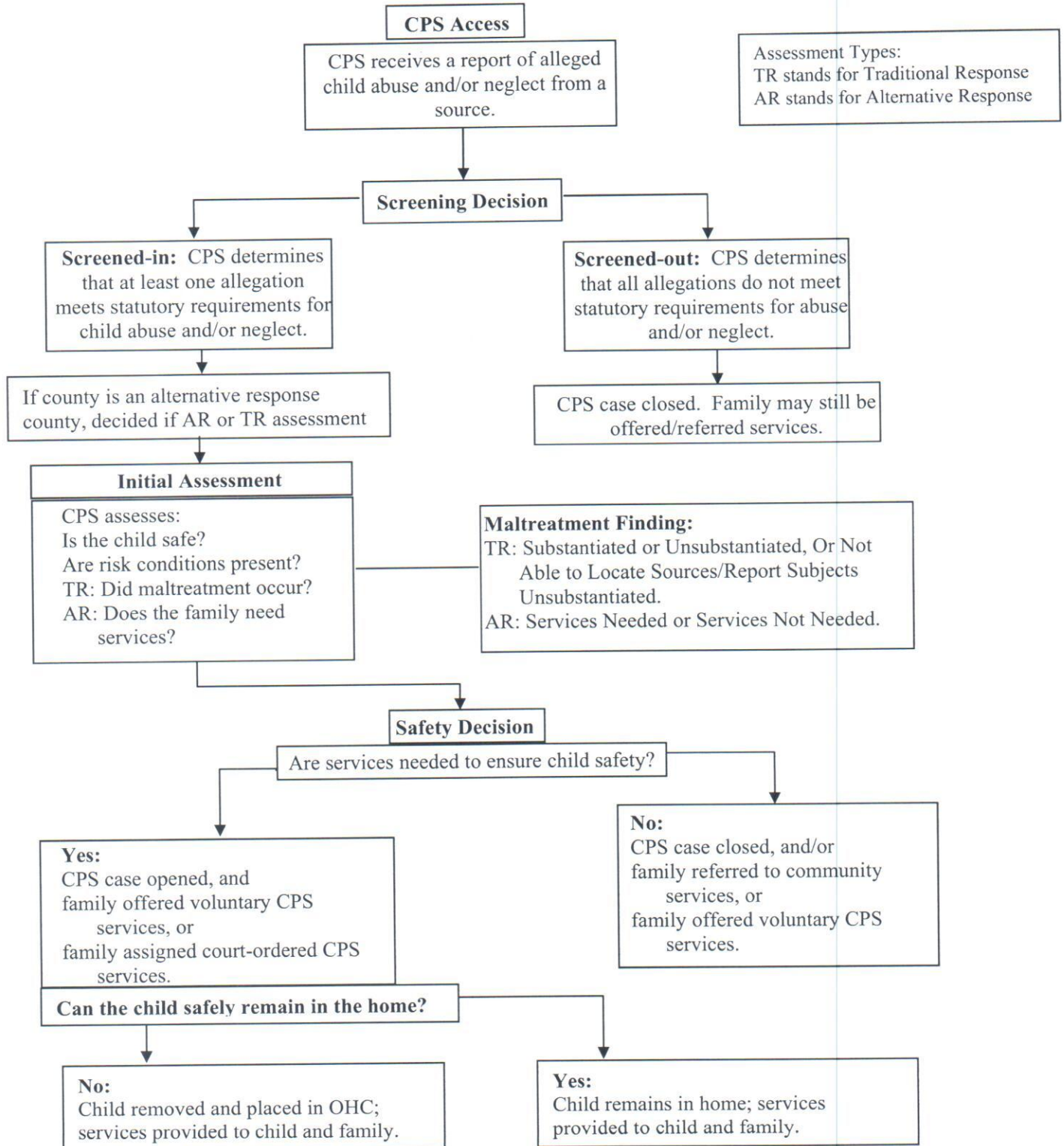
When in doubt, make the report. Let the designated authorities — CPS and the law enforcement agency — sort it out. That is their job.

## Why does CPS ask if the child has American Indian heritage?

The best interests of an Indian child are not exactly the same as the best interests of a non-Indian child. Therefore, Indian children must be identified as quickly as possible when child maltreatment is suspected. Indian tribes are sovereign nations and have the right to intervene if an Indian child of that tribe might be removed from his or her home, even when the child does not reside on tribal lands.

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## An Overview of the CPS Process





## Wisconsin Child Abuse and Neglect Definitions

State laws define child abuse and neglect. These definitions provide the basis for persons to report suspected child maltreatment and guide county agencies in their response. Throughout this report, the terms "child maltreatment" and "child abuse and/or neglect" have the same meaning and can be used interchangeably.

State laws and policies concerning child maltreatment pertain to children 17 years of age and younger, unless otherwise specified. Child maltreatment is generally divided into four basic types: neglect, physical abuse, sexual abuse and emotional abuse.

**Neglect** is defined in the statutes as "failure, refusal or inability on the part of a parent, guardian, legal custodian or other person exercising temporary or permanent control over a child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child." [Ref. s. 48.981(1)(d), Stats.]

**Physical abuse** is defined as "physical injury inflicted on a child by other than accidental means." [Ref. s. 48.02(1)(a), Stats.] This includes non-accidental injury inflicted by any other person. "Physical injury includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm, as defined in s. 939.22(14)." [Ref. s. 48.02(14g), Stats.]

**Sexual abuse** is defined by cross-referencing several crimes in the Wisconsin Criminal Code section of the statutes. In summary, sexual abuse includes but is not limited to the following:

- sexual intercourse or sexual contact with a child 15 years of age or less;
- sexual intercourse or sexual contact with a 16- or 17-year old child without his or her consent;
- inducement of a child to engage in sexually explicit conduct in order to videotape, photograph, etc., that child or videotaping, photographing, etc., a child for such purposes, or producing, distributing, selling or otherwise profiting from such a videotape, photograph, etc.;
- encouragement by or permission of a person responsible for a child's welfare for a child to engage in sexually explicit conduct for the purpose of videotaping, photographing, etc.;
- causing a child to view or listen to sexual activity;
- exposing genitals to a child; or
- permitting or encouraging a child to engage in prostitution.

**Emotional abuse** is defined as "emotional damage for which the child's parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms." [Ref. s. 48.02(1)(gm), Stats.]

The definitions of neglect and emotional abuse involve failure on the part of parents or other persons responsible for a child to provide necessary care for a child. The definitions of physical abuse and sexual abuse include harm to a child by any person. Therefore, physical or sexual abuse of a child can include assaults by a parent, strangers, persons unrelated to a child's family, or peers.

The above information was taken from the Wisconsin Child Abuse and Neglect Report for 2011

The Wisconsin Child Abuse and Neglect Report can be found on the internet at:  
<http://www.dcf.wisconsin.gov/cwreview/reports/CAN.htm>